



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 6

1445 ROSS AVENUE, SUITE 1200

DALLAS, TX 75202-2733

**FEB 27 2015**

**GENERAL NOTICE LETTER -- URGENT LEGAL MATTER**

**PROMPT REPLY NECESSARY, CERTIFIED MAIL: #7014 0150 0000 2452 8210**

**RETURN RECEIPT REQUESTED**

Raymond B. Greenwell, Registered Agent for T. T. Barge Cleaning Mile 183, Inc.  
19368 Hwy 36  
Covington, Louisiana 70433

RE: General Notice Letter for the CES Environmental Services, Inc.- Houston Superfund Site in  
Houston, Harris County, Texas

Dear Sir/Madam:

The purpose of this letter is to notify you of your potential liability at the CES Environmental Services, Inc.- Houston Superfund Site (Site) and to invite you to join in settlement negotiations with the U.S. Environmental Protection Agency (EPA). The street address for the Site is 4904 Griggs Road, Houston, Harris County, Texas. The street addresses of the contiguous properties that are parts of the Site are 4900 Griggs Road and 5910 Wayland Street. The Site is surrounded by residential, educational and commercial properties. Based on available information, the EPA has determined that you may be responsible under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as the federal "Superfund" law, for cleanup of the Site or costs the EPA has incurred in cleaning up the Site.

**Explanation of Potential Liability**

A Superfund Site is a place that is contaminated with hazardous substances at levels that may present a threat to human health or the environment. Under Sections 106 and 107 of CERCLA, 42 U.S.C. §§ 9606 and 9607, potentially responsible parties (PRPs) may be required to perform cleanup actions to protect the public health and welfare or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site. PRPs include current and former owners and operators of the Site, as well as persons who sent or transported hazardous substances to the Site for disposal or treatment or who arranged for the disposal or treatment of hazardous substances at the Site.

Under CERCLA, specifically Sections 106(a) and 107(a), PRPs may be required to perform cleanup actions to protect the public health, welfare, or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site, unless the PRP can show divisibility of harm or any of the statutory defenses. PRPs include current and former owners and operators of a site, as well as persons who arranged for treatment and/or disposal of any hazardous substances found at the site, and persons who accepted hazardous substances for transport and selected the site to which the hazardous substances were delivered.

You have been identified as a PRP who either sent hazardous substances for disposal or treatment to the Site or generated certain hazardous substances that the EPA has found at the Site. For this reason the attached General Notice concerning the removal action (Enclosure 1) is being sent to you. The General Notice requests your cooperation in conducting the on-going removal action at the Site and for reimbursement of past and future costs. Enclosure 2 contains copies of the documents used to identify you as a PRP. Enclosure 3 contains a list of the entities who are receiving this General Notice.

### **Site Background**

This Site is a former chemical recycling facility that filed for bankruptcy in 2010. Prior to the bankruptcy, the Site had been owned and operated by CES Environmental Services, Inc. The Site is now under the control of a Trustee for the Estate appointed by the Bankruptcy Court. The Estate does not have the funding necessary to address the conditions at the Site. The Site consists of approximately eleven vacuum boxes, two roll-off boxes, twelve frac tanks, two tanker trailers, 20 aboveground storage tanks, 15 waste water treatment tanks, waste piles, and numerous totes, vats, drums, and smaller containers. Additionally, there was spillage of chemicals to exterior surfaces as well as building interiors. The Site has experienced significant vandalism since its bankruptcy in 2010. Additionally, recent spills have occurred due to vandalism which has resulted in the spillage of chemicals and waste to the ground surface and into an adjacent residential neighborhood. Removal is time critical per the Action Memo.

The information provided by the Estate's consultant shows that there are hazardous wastes along with various hazardous substances within containers located on the Site. The hazardous substances include but are not limited to benzene (D018), creosol (D023-026), 2,4,6-trichlorophenol (D042), pH (D002), ignitability (D001), MEK (D035), and 1,2-dichloroethane (D028). These chemicals are hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. 9601(14), and further defined at 40 C.F.R. 302.4.

### **Response Actions to Date**

On or about September 3, 2014, the EPA mobilized its contractors to begin addressing the wastes and spills at the Site. The EPA's Time Critical Removal Action has addressed the following:

1. Management of stormwater to reduce off-site overflow of contaminated stormwater from the Site.
2. Removal of wastes from ten of twelve vacuum boxes and from two of two roll-off boxes.
3. Removal of wastes from eight of twelve frac tanks. Three frac tanks currently hold wastes.
4. Removal of liquid, i.e., pump able, wastes from eleven of twenty-three aboveground storage tanks (AST). Sludge and residual materials remain until sludge removal and tank cleaning of ASTs is completed.
5. Empty totes/drums have been segregated for temporary storage.
6. Waste piles dumped to the ground from the theft of seven roll-off boxes was removed by the Trustee.
7. Lab chemicals/company process samples were collected and disposed by the Trustee.
8. Process chemicals were collected and disposed by the Trustee.

Upon reviewing the enclosed General Notice, please provide a written response to Mr. Robert Werner, Enforcement Officer at 214-665-6724 within **60 calendar days** after you receive this letter. Your response must identify of your intent to, or not to, enter into settlement negotiations with the EPA concerning this matter. Please mail your written response to Mr. Werner at the address that appears in the General Notice.

We look forward to working with you during the coming months.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Carl E. Edlund, P.E.", with a flourish at the end.

Carl E. Edlund, P.E.

Director

Superfund Division

Enclosures (4)

**ENCLOSURE 1**  
**GENERAL NOTICE REGARDING**  
**CES ENVIRONMENTAL SERVICES, INC.- HOUSTON**  
**HOUSTON, HARRIS COUNTY, TEXAS**

This General Notice is from the U.S. Environmental Protection Agency (EPA). This General Notice is directed to you, the Potentially Responsible Party (PRP) of the CES Environmental Services, Inc.- Houston Site (Site). This General Notice does five things:

1. This General Notice tells you that you may be responsible for the presence of hazardous substances found at the Site. When we say "Site" or "property" in this General Notice, we mean the CES Environmental Services, Inc.- Houston Site. The street address for the Site is 4904 Griggs Road, Houston, Harris County, Texas. The street addresses of the contiguous properties that are parts of the Site are 4900 Griggs Road and 5910 Wayland Street. This General Notice is issued under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund).
2. This General Notice provides you with background information leading up to the EPA's investigation of the Site and the EPA's activities to determine the source(s) of the contamination at the Site.
3. This General Notice invites you to meet and enter a settlement with the EPA as a Settling Party regarding the cleanup of this Site and cooperation in conducting the on-going removal action at the Site and for reimbursement of past and future costs.
4. This General Notice advises you that, if you request the EPA to do so, the EPA will consider your ability to pay in determining an appropriate settlement amount.
5. This General Notice provides to you the names of all entities, i.e., PRPs, to which this General Notice will be mailed.

**NOTICE THAT YOU MAY BE LIABLE**

Under Section 107 of CERCLA, 42 U.S.C. § 9607, responsible parties are those who are current owners or operators of a facility, past owners or operators who owned or operated the facility at the time hazardous substances were released or disposed of at the facility, persons who arranged for disposal or treatment at the facility (usually the person(s) who generated the hazardous substance) or persons who selected that facility and transported the hazardous substances to the facility. Section 107 of CERCLA, 42 U.S.C. § 9607, states that responsible parties are liable to the United States for the costs it has incurred or will incur conducting a response action such as that proposed for the Site. A PRP is therefore responsible for performing the cleanup action in accordance with the EPA requirements, paying for the cleanup by the EPA and reimbursing the Federal Government for past and future costs of the cleanup activities.

**BACKGROUND**

This Site is a former chemical recycling facility that filed for bankruptcy in 2010. Prior to the bankruptcy, the Site had been owned and operated by CES Environmental Services, Inc. The Site is now under the control of a Trustee for the Estate appointed by the Bankruptcy Court. The Estate does not have the funding necessary to address the conditions at the Site. The Site consists of approximately eleven vacuum boxes, two roll-off boxes, twelve frac tanks, two tanker trailers, twenty aboveground storage tanks, fifteen waste water treatment tanks, waste piles, and numerous totes, vats, drums, and smaller containers. Additionally, there is spillage of

chemicals to exterior surfaces as well as building interiors. The Site has experienced significant vandalism since its bankruptcy in 2010. Additionally, recent spills have occurred due to vandalism which has resulted in the spillage of chemicals and waste to the ground surface and into an adjacent residential neighborhood. Emergency responses to these spills have involved the Estate, City of Houston, Texas Commission on Environmental Quality (TCEQ) and the EPA. These spill responses were addressed by TCEQ and the EPA.

The information provided by the Estate's consultant shows that there are hazardous wastes along with various hazardous substances within containers located on the Site. The hazardous substances include but are not limited to Benzene (D018), Creosol (D023-026), 2,4,6-Trichlorophenol (D042), pH (D002), Ignitability (D001), MEK (D035), and 1,2-Dichloroethane (D028). These chemicals are hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. 9601(14), and further defined at 40 C.F.R. 302.4.

### **Response Actions to Date**

On or about September 3, 2014, the EPA mobilized its contractors to begin addressing the wastes and spills at the Site. As of December 19, 2014, the EPA Team has addressed the following:

1. Management of stormwater to reduce off-site overflow of contaminated stormwater from the Site.
2. Removal of wastes from ten of twelve vacuum boxes and from two of two roll-off boxes.
3. Removal of wastes from eight of twelve frac tanks. Three frac tanks currently hold wastes.
4. Removal of liquid, i.e., pump able, wastes from eleven of twenty-three aboveground storage tanks (AST). Sludge and residual materials remain until sludge removal and tank cleaning of ASTs is completed.
5. Empty totes/drums have been segregated for temporary storage.
6. Waste piles dumped to the ground from the theft of seven roll-off boxes was removed by the Trustee.
7. Lab chemicals/company process samples were collected and disposed by the Trustee.
8. Process chemicals were collected and disposed by the Trustee.

### **PARTICIPATION**

The EPA is inviting you to enter into a settlement with the EPA. In addition to avoiding the costs of litigation, settling with the EPA provides you with another advantage. Under the Superfund law, settling with the EPA helps protect you should another responsible party sue you for costs which that party pays to the EPA. Also, if you choose not to settle with the EPA, then the EPA may take civil administrative action and, ultimately, the EPA may request civil judicial action. A list of entities receiving this General Notice letter is included as Enclosure 3 to this letter.

## OPPORTUNITY TO MEET

The EPA will also provide you the opportunity to meet with the EPA representatives to discuss your desire to enter into a settlement with the EPA.

## FINANCIAL CONCERNS/ABILITY TO PAY SETTLEMENTS

The EPA is aware the financial ability of some PRPs to contribute toward the cleanup and/or payment of response costs at a site may be substantially limited. If you believe and can document that you fall within that category, please contact Mr. Robert Werner at 214-665-6724 for information on "Ability to Pay Settlements." In response, you will receive a package of information about the potential for such settlements. If the EPA concludes that you have a legitimate inability to pay the full amount of the EPA's costs, the EPA may offer a schedule for payment over time or a reduction in the total amount demanded from you.

Also, please note that because the EPA has a potential claim against you, if your financial status changes in any significant way, i.e., filing for bankruptcy, you must include the EPA as a creditor.

## RESOURCES AND INFORMATION FOR SMALL BUSINESSES

On January 11, 2002, President Bush signed into law the Superfund Small Business Liability Relief and Brownfields Revitalization Act. This Act contains several exemptions and defenses to CERCLA liability, which we suggest that all parties evaluate. You may obtain a copy of the law via the Internet at:

<http://www.epa.gov/swerosps/bf/sblbra.htm>

and review the EPA guidance regarding these exemptions at:

<http://www.epa.gov/compliance/resources/policies/cleanup/superfund>

The EPA has created a number of helpful resources for small businesses. The EPA has established the National Compliance Assistance Clearinghouse as well as Compliance Assistance Centers, which offer various forms of resources to small businesses. You may inquire about these resources at [www.epa.gov](http://www.epa.gov).

In addition, the EPA Small Business Ombudsman may be contacted at [www.epa.gov/sbo](http://www.epa.gov/sbo). Finally, the EPA developed a fact sheet about the Small Business Regulatory Enforcement Fairness Act (SBREFA), which is enclosed with this letter (Enclosure 4).

## YOUR RESPONSE TO EPA

Please notify Mr. Werner in writing at the address indicated below *within 60 calendar days after you receive this letter* to indicate your willingness to enter in good faith as a Settling Party. **If the EPA does not receive your written response within 60 calendar days after you receive this letter, the EPA will assume you do not wish be a Settling Party and the EPA will then take whatever actions are necessary to abate the potential threat to human health and the environment posed by contaminants on the property.**

Your response to this letter should be directed to:

Mr. Robert Werner  
Enforcement Officer (6SF-TE)  
United States Environmental Protection Agency  
Region 6  
1445 Ross Avenue  
Dallas, Texas 75202  
Telephone: 214-665-6724, Fax: 214-665-6660  
werner.robert@epa.gov

If you or your attorney have legal questions pertaining to this matter, please direct them to:

Ms. Amy Salinas  
Assistant Regional Counsel (6RC-S)  
United States Environmental Protection Agency  
Region 6  
1445 Ross Avenue  
Dallas, Texas 75202  
Telephone: 214-665-8063, Fax: 214-665-6460  
salinas.amy@epa.gov

The discussions of fact or law in this General Notice are meant to help you understand CERCLA and the EPA's actions at the Site. The discussions of fact and law are not final positions on any matter discussed in this General Notice.

**ENCLOSURE 2**  
**GENERAL NOTICE REGARDING**  
**CES ENVIRONMENTAL SERVICES, INC.- HOUSTON**  
**HOUSTON, HARRIS COUNTY, TEXAS**

**EVIDENTIARY DOCUMENTATION**

**SAMPLES OF EVIDENCE**

Enclosed are copies of samples of documented evidence that identifies the name of your company. The examples are not intended to represent all the evidence in CES records. It is only a representative sample that identifies:

1. A waste hazardous substance that was generated by your company and was transported to the Site for disposal and/or recycling, or
2. A waste hazardous substance that was generated by your company and that was transported in a CES tanker trailer to a facility other than the Site for disposal and/or recycling. The EPA believes that residue of the waste hazardous substance that had been transported in the CES tanker trailer was released at the Site when the interior of the CES tanker trailer was cleaned at the Site.





**CES Environmental  
Services, Inc.**

4904 Griggs Road  
Houston, TX 77021  
Phone: (713) 676-1460  
Fax: (713) 676-1676

# Invoice

Date	Invoice #
6/29/2009	57285

Bill To: T.T. Barge  
Attn: Accounts Payable  
19368 Hwy 36  
Covington, LA 70433

copy

		P.O. No.	Terms	Project	
		MC-628-DD	Net 30		
Quantity	Description	Manifest #	Rate	Amount	
1	06/22/09 Transportation services by CES @ \$985.00 per load		985.00	985.00	
	9.5% Fuel Surcharge		93.58	93.58	
5,571	Disposal of Non RCRA / Non regulated wastewater @ \$0.10 per gallon	5803604JJK	0.10	557.10	
	1% Compliance Fee		16.36	16.36	
	CES job #87956				
We appreciate your business!		Subtotal		\$1,652.04	
Late Payment Policy: Any unpaid balances beginning on the 30th day after the account is due will accrue a per annum interest rate of 7.5%, unless otherwise stated in a formalized contract.		Sales Tax (8.25%)		\$0.00	
		Total		\$1,652.04	

MC 794DD

<b>UNIFORM HAZARDOUS WASTE MANIFEST</b>		1. Generator ID Number <b>LA980870794</b>	2. Page 1 of <b>1</b>	3. Emergency Response Phone <b>(225) 473-2199</b>	4. Manifest Tracking Number <b>005596202 JJK</b>
5. Generator's Name and Mailing Address T.T. Barge (Mile 183) P.O. Box 287 Donaldsonville, LA 70346 Generator's Phone: <b>(225) 473-3488</b> <i>8222</i>			Generator's Site Address (if different than mailing address) T.T. Barge (Mile 183) 7324 Hwy. 405 Donaldsonville, LA 70346 <b>(225) 473-2199</b> <i>8222</i>		
6. Transporter 1 Company Name <b>CE Environmental Services, Inc.</b>			State ID <b>30900</b>		U.S. EPA ID Number <b>TXD008950461</b>
7. Transporter 2 Company Name					U.S. EPA ID Number
8. Designated Facility Name and Site Address <b>CE Environmental Services, Inc.</b> 4904 Griggs Rd. Houston TX, 77021 Facility's Phone: <b>(713) 676-1460</b>			State ID <b>30900</b>		U.S. EPA ID Number <b>TXD008950461</b>
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No. Type		11. Total Quantity
		1UN3082, Hazardous Waste Liquid, n.o.s.(benzene), 9, PGIII	1 11		5,000
					12. Unit Wt./Vol. G
					13. Waste Codes OUTSIDE
14. Special Handling Instructions and Additional Information Hazardous Wastewater 1) HCU-3433 2) 3) 4)					
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.					
Generator's/Officer's Printed/Typed Name <b>Charles Metzler</b>			Signature <i>[Signature]</i>		Month Day Year <b>17 30 09</b>
INTL	16. International Shipments <input type="checkbox"/> Import to U.S. <input checked="" type="checkbox"/> Export from U.S.			Port of entry/exit: Date leaving U.S.:	
	Transporter's Signature (for exports only): <i>[Signature]</i>				
TRANSPORTER	17. Transporter Acknowledgment of Receipt of Materials				
	Transporter 1 Printed/Typed Name <b>Colan (AAR/10)</b>			Signature <i>[Signature]</i>	
DESIGNATED FACILITY	Transporter 2 Printed/Typed Name			Signature <i>[Signature]</i>	
	18. Discrepancy				
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection				
	Manifest Reference Number:				
	18b. Alternate Facility (or Generator) U.S. EPA ID Number				
Facility's Phone:					
18c. Signature of Alternate Facility (or Generator) Month Day Year					
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)					
1. H135		2.		3.	
				4.	
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a					
Printed/Typed Name <b>SAM BROWN</b>			Signature <i>[Signature]</i>		Month Day Year <b>17 30 09</b>



ML788DD

256

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

<b>UNIFORM HAZARDOUS WASTE MANIFEST</b>		1. Generator ID Number <b>LA980870794</b>	2. Page 1 of <b>1</b>	3. Emergency Response Phone <b>(225) 473-2199</b>	4. Manifest Tracking Number <b>005596172 JJK</b>	
5. Generator's Name and Mailing Address <b>T.T. Borge (Mile 183) P.O. Box 287 Donaldsonville, LA 70346 Generator's Phone: (225) 473-2109</b>			Generator's Site Address (if different than mailing address) <b>T.T. Borge (Mile 183) 7324 Hwy. 405 Donaldsonville, LA 70346 (225) 473-2199</b>			
6. Transporter 1 Company Name <b>CE5 Environmental Services, Inc.</b>			State ID <b>30900</b>		U.S. EPA ID Number <b>TXD008950461</b>	
7. Transporter 2 Company Name			State ID		U.S. EPA ID Number	
8. Designated Facility Name and Site Address <b>CE5 Environmental Services, Inc. 4904 Griggs Rd. Houston TX, 77021 Facility's Phone: (713) 676-1460</b>			State ID <b>30900</b>		U.S. EPA ID Number <b>TXD008950461</b>	
GENERATOR	9a. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))		10. Containers		11. Total Quantity	12. Unit WL/Vol.
			No.	Type		
	1. UN3082, Hazardous Waste Liquid, n.o.s.(benzene), 9, PGII		1	TT	4800	5
	2.					
	3.					
4.						
14. Special Handling Instructions and Additional Information Folder ID: T.T. Borge (Mile 183- Donaldson, LA) Hazardous Wastewater This is to certify that the above-named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation. CES Job # - 89284						
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.						
Generator's/Offor's Printed/Typed Name <b>Charles T. Matlock</b>			Signature <i>Charles T. Matlock</i>		Month <b>7</b>	Day <b>28</b>
16. International Shipments <input type="checkbox"/> Import to U.S. <input checked="" type="checkbox"/> Export from U.S.			Port of entry/exit: <b>N/A</b>		Year <b>09</b>	
Transporter signature (for exports only): <b>N/A</b>			Date leaving U.S.:			
TRANSPORTER	17. Transporter Acknowledgment of Receipt of Materials					
	Transporter 1 Printed/Typed Name <b>Rolando Morales</b>		Signature <i>Rolando Morales</i>		Month <b>10</b>	Day <b>28</b>
Transporter 2 Printed/Typed Name		Signature		Month	Day	Year
DESIGNATED FACILITY	18. Discrepancy					
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection					
	Manifest Reference Number:					
	18b. Alternate Facility (or Generator)			U.S. EPA ID Number		
	Facility's Phone:					
18c. Signature of Alternate Facility (or Generator)					Month	Day
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)						
1. H135		2.		3.		4.
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a						
Printed/Typed Name <b>Sam Brown</b>			Signature <i>Sam Brown</i>		Month <b>17</b>	Day <b>28</b>
					Year <b>09</b>	



#271 RO# ML 756 DD

<b>UNIFORM HAZARDOUS WASTE MANIFEST</b>		1. Generator ID Number LA980870794	2. Page 1 of 1	3. Emergency Response Phone (225) 473-2199	4. Manifest Tracking Number 005596144 JJK	
5. Generator's Name and Mailing Address T. T. Barge (Pile 183) P.O. Box 387 Donaldsonville, LA 70346 Generator's Phone: (225) 473-2199		State ID: D0022		Generator's Site Address (if different than mailing address) T. T. Barge (Pile 183) 7324 Hwy. 405 Donaldsonville, LA 70346 (225) 473-2199		
6. Transporter 1 Company Name CES Environmental Services, Inc.		State ID 30900		U.S. EPA ID Number TXD008950461		
7. Transporter 2 Company Name				U.S. EPA ID Number		
8. Designated Facility Name and Site Address CES Environmental Services, Inc. 4904 Griggs Rd. Houston TX, 77021 Facility's Phone: (713) 676-1460		State ID 30900		U.S. EPA ID Number TXD008950461		
9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No. Type		11. Total Quantity	12. Unit WL/Vol.	13. Waste Codes
	1. UN3082, Hazardous Waste Liquid, n.o.s.(benzene), 9, PGIII	1 11		5000	G	OUTSIDE
	2.					
	3.					
	4.					
14. Special Handling Instructions and Additional Information Hazardous Waste 1) HOU-3433 2) 3) 4) This is to certify that the above-named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation. CES Job # - 89252						
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.						
Generator's/Offor's Printed/Typed Name Charles M. K...		Signature [Signature]		Month Day Year 7 24 09		
16. International Shipments Transporter signature (for exports only):		<input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S.		Port of entry/exit: Date leaving U.S.:		
17. Transporter Acknowledgment of Receipt of Materials Transporter 1 Printed/Typed Name Joe A. Gonzalez		Signature [Signature]		Month Day Year 7 24 09		
Transporter 2 Printed/Typed Name		Signature		Month Day Year		
18. Discrepancy						
18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection						
Manifest Reference Number:						
18b. Alternate Facility (or Generator)		U.S. EPA ID Number				
Facility's Phone:						
18c. Signature of Alternate Facility (or Generator)						
Month Day Year						
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)						
1. H135		2.		3.		4.
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a						
Printed/Typed Name Sam Brown		Signature [Signature]		Month Day Year 7 24 09		



PO4

MC 753 DD

TRAILER #256

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

<b>UNIFORM HAZARDOUS WASTE MANIFEST</b>		1. Generator ID Number <b>LA980870794</b>	2. Page 1 of <b>1</b>	3. Emergency Response Phone <b>(225) 473-2199</b>	4. Manifest Tracking Number <b>005596122 JJK</b>		
5. Generator's Name and Mailing Address <b>T.T. Borge (Mile 183) P.O. Box 287 Donaldsonville, LA 70346</b>		State ID: <b>00022</b>		Generator's Site Address (if different than mailing address) <b>T.T. Borge (Mile 183) 7324 Hwy. 405 Donaldsonville, LA 70346 (225) 473-2199</b>			
6. Transporter 1 Company Name <b>CES Environmental Services, Inc.</b>		State ID <b>30500</b>		U.S. EPA ID Number <b>TXD008950461</b>			
7. Transporter 2 Company Name				U.S. EPA ID Number			
8. Designated Facility Name and Site Address <b>CES Environmental Services, Inc. 4904 Griggs Rd. Houston TX, 77021</b>		State ID <b>30500</b>		U.S. EPA ID Number <b>TXD008950461</b>			
Facility's Phone: <b>(713) 676-1460</b>							
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
			No.	Type			
	1	<del>100% Hazardous waste liquid</del> <b>UN 3082 Hazardous waste Liquid, N.D.S. (Benzene), 9, III per CM 7-24-9</b>	1	TT	4800	G	<b>OUTSIDE</b> <b>per CM 7-24-9</b>
	2						
	3						
4							
14. Special Handling Instructions and Additional Information <b>Folder ID: T.T. Borge (Mile 183-Donaldson, LA) Hazardous Wastewater</b>  <div style="display: flex; justify-content: space-between;"> <span>(1) HOU-3433</span> <span>(2)</span> <span>(3)</span> <span>(4)</span> </div> <p style="font-size: small;">This is to certify that the above-named materials are properly classified, described, packaged, marked and labeled/placarded, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation CES Job # - 89165</p>							
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.							
Generator's/Offor's Printed/Typed Name <b>Charles T. Motz</b>		Signature 		Month <b>07</b>		Day <b>23</b>	
		Year <b>09</b>					
INT'L	16. International Shipments <input type="checkbox"/> Import to U.S. <input checked="" type="checkbox"/> Export from U.S. Port of entry/exit: _____ Date leaving U.S.: _____						
	Transporter signature (for exports only):						
TRANSPORTER	17. Transporter Acknowledgment of Receipt of Materials						
	Transporter 1 Printed/Typed Name <b>ROLANDO MORALES</b>		Signature 		Month <b>07</b>		
				Day <b>23</b>			
				Year <b>09</b>			
DESIGNATED FACILITY	18. Discrepancy						
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection						
	Manifest Reference Number: _____						
	18b. Alternate Facility (or Generator)				U.S. EPA ID Number		
	Facility's Phone: _____						
18c. Signature of Alternate Facility (or Generator)						Month <b>07</b>	
						Day <b>23</b>	
						Year <b>09</b>	
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)							
1. <b>H135</b>		2.		3.		4.	
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a							
Printed/Typed Name <b>SAM BROWN</b>		Signature 		Month <b>07</b>		Day <b>23</b>	
				Year <b>09</b>			

ENCLOSURE 3  
GENERAL NOTICE LETTER REGARDING  
CES ENVIRONMENTAL SERVICES, INC.- HOUSTON  
HOUSTON, HARRIS COUNTY, TEXAS

**ENTITIES TO WHICH THIS GENERAL NOTICE WILL BE MAILED**

The Lubrizol Corporation  
Advanced Aromatics, L.P  
AMTEX Machine Products, Inc.  
Andergauge Drilling Systems  
Arkema Inc.  
Ball Corporation  
Canrig Drilling Technology Ltd.  
Century Asphalt (Humble) d/b/a for Baytown Asphalt Materials, Ltd.  
Champion Technologies (Merged into Nalco Company)  
Citgo Petroleum Corporation (Citgo Refinery)  
Cross Oil & Refining & Marketing, Inc..  
Dover Corporation - Cook Compression (C Lee Cook)  
Evalca Company of America  
KMCO, Inc. (new name is Ramsey Properties, L.P.)  
PGI International. LTD (merged into Parker-Hannifin Corporation)  
Philip Reclamation Services Houston , LLC  
Plaquemine Point Shipyard, Sunshine, LA  
PPG Industries, Inc.  
Praxair, Inc.  
Proler Southwest  
Quest Chemical Corporation  
RasGas in Qatar @ KMTEX  
Sierra Chemical Corporation  
Skyhawk Chemicals, Inc.  
Smithfield BioEnergy, LLC  
Sun Coast Resources , Inc.  
T. T. Barge Mile (Barge Mile 183, 237)  
T. T. Barge Cleaning Mile 183, Inc. (d/b/a T.T. Barge [Mile 183])  
T. T. Barges Services Mile 237 LLC (d/b/a T T Barge Mile [Barge Mile 237])  
T.T. Barge (Mile 237)  
T3 Energy Services-Cypress  
Taber Extrusions  
Targa Midstream Services LP  
Tenaris Coiled Tube, LLC (Beitway 8) a-k-a Precision Tube  
Texas Oil Tools, NOV (Conroe)

Texas Water Management

Total Petrochemicals, Inc. - Port Arthur

Transmontaing Product Service

Valero Refining-Texas, L.P. (d/b/a Valero Refining Co of Texas)

ZaCh System Corporation (Ampac)

**ENCLOSURE 4**  
**GENERAL NOTICE LETTER REGARDING**  
**CES ENVIRONMENTAL SERVICES, INC.- HOUSTON**  
**HOUSTON, HARRIS COUNTY, TEXAS**

**SMALL BUSINESS RESOURCES FACT SHEET**





*Office of Enforcement and Compliance Assurance*  
**INFORMATION SHEET**

## U. S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance resources such as workshops, training sessions, hotlines, websites, and guides to assist you in complying with federal and state environmental laws. These resources can help you understand your environmental obligations, improve compliance, and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

### Compliance Assistance Centers

([www.assistancecenters.net](http://www.assistancecenters.net))

In partnership with industry, universities, and other federal and state agencies, EPA has established Compliance Assistance Centers that provide information targeted to industries with many small businesses.

#### Agriculture

([www.epa.gov/agriculture](http://www.epa.gov/agriculture) or 1-888-663-2155)

#### Automotive Recycling Industry

([www.ecarcenter.org](http://www.ecarcenter.org))

#### Automotive Service and Repair

([www.ccar-greenlink.org](http://www.ccar-greenlink.org) or 1-888-GRN-LINK)

#### Chemical Industry

([www.chemalliance.org](http://www.chemalliance.org))

#### Construction Industry

([www.cicacenter.org](http://www.cicacenter.org) or 1-734-995-4911)

#### Education

([www.campuserc.org](http://www.campuserc.org))

#### Healthcare Industry

([www.hercenter.org](http://www.hercenter.org) or 1-734-995-4911)

#### Metal Finishing

([www.nmfrc.org](http://www.nmfrc.org) or 1-734-995-4911)

#### Paints and Coatings

([www.paintcenter.org](http://www.paintcenter.org) or 1-734-995-4911)

#### Printed Wiring Board Manufacturing

([www.pwborc.org](http://www.pwborc.org) or 1-734-995-4911)

#### Printing

([www.pneac.org](http://www.pneac.org) or 1-888-USPNEAC)

#### Transportation Industry

([www.transource.org](http://www.transource.org))

#### Tribal Governments and Indian Country

([www.epa.gov/tribal/compliance](http://www.epa.gov/tribal/compliance) or 202-564-2516)

#### US Border Environmental Issues

([www.bordercenter.org](http://www.bordercenter.org) or 1-734-995-4911)

The Centers also provide State Resource Locators

([www.envcap.org/statetools/index.cfm](http://www.envcap.org/statetools/index.cfm)) for a wide range of topics to help you find important environmental compliance information specific to your state.

### EPA Websites

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. If you don't have access to the Internet at your business, many public libraries provide access to the Internet at minimal or no cost.

#### EPA's Home Page

[www.epa.gov](http://www.epa.gov)

#### Small Business Gateway

[www.epa.gov/smallbusiness](http://www.epa.gov/smallbusiness)

#### Compliance Assistance Home Page

[www.epa.gov/compliance/assistance](http://www.epa.gov/compliance/assistance)

#### Office of Enforcement and Compliance Assurance

[www.epa.gov/compliance](http://www.epa.gov/compliance)

#### Voluntary Partnership Programs

[www.epa.gov/partners](http://www.epa.gov/partners)



## U.S. EPA SMALL BUSINESS RESOURCES

### Hotlines, Helplines & Clearinghouses

([www.epa.gov/epahome/hotline.htm](http://www.epa.gov/epahome/hotline.htm))

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. A few examples are listed below:

Clean Air Technology Center

([www.epa.gov/ttn/catc](http://www.epa.gov/ttn/catc) or 1-919-541-0800)

Emergency Planning and Community Right-To-Know Act

([www.epa.gov/superfund/resources/infocenter/epcra.htm](http://www.epa.gov/superfund/resources/infocenter/epcra.htm) or 1-800-424-9346)

EPA's Small Business Ombudsman Hotline provides regulatory and technical assistance information.

([www.epa.gov/sbo](http://www.epa.gov/sbo) or 1-800-368-5888)

The National Environmental Compliance Assistance

Clearinghouse provides quick access to compliance assistance tools, contacts, and planned activities from the U.S. EPA, states, and other compliance assistance providers.  
([www.epa.gov/clearinghouse](http://www.epa.gov/clearinghouse))

National Response Center to report oil and hazardous substance spills.

([www.nrc.uscg.mil](http://www.nrc.uscg.mil) or 1-800-424-8802)

Pollution Prevention Information Clearinghouse

([www.epa.gov/opptintr/ppic](http://www.epa.gov/opptintr/ppic) or 1-202-566-0799)

Safe Drinking Water Hotline

([www.epa.gov/safewater/hotline/index.html](http://www.epa.gov/safewater/hotline/index.html) or 1-800-426-4791)

Stratospheric Ozone Refrigerants Information

([www.epa.gov/ozone](http://www.epa.gov/ozone) or 1-800-296-1996)

Toxics Assistance Information Service also includes asbestos inquiries.

(1-202-554-1404)

Wetlands Helpline

([www.epa.gov/owow/wetlands/wetline.html](http://www.epa.gov/owow/wetlands/wetline.html) or 1-800-832-7828)

### State Agencies

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information or the following two resources:

EPA's Small Business Ombudsman

([www.epa.gov/sbo](http://www.epa.gov/sbo) or 1-800-368-5888)

Small Business Environmental Homepage

([www.smallbiz-enviroweb.org](http://www.smallbiz-enviroweb.org) or 1-724-452-4722)

### Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated,

businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses:

The Small Business Compliance Policy

([www.epa.gov/compliance/incentives/smallbusiness](http://www.epa.gov/compliance/incentives/smallbusiness))

Audit Policy

([www.epa.gov/compliance/incentives/auditing](http://www.epa.gov/compliance/incentives/auditing))

### Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an SBA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System (NAICS) designation, number of employees, or annual receipts, defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

### Your Duty to Comply

If you receive compliance assistance or submit comments to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

*EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.*